



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,520	12/21/2004	Matti Myyry	60091.00366	8108

32294 7590 04/11/2007
SQUIRE, SANDERS & DEMPSEY L.L.P.
14TH FLOOR
8000 TOWERS CRESCENT
TYSONS CORNER, VA 22182

EXAMINER

LU, ZHIYU

ART UNIT	PAPER NUMBER
----------	--------------

2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/518,520	MYRY ET AL.	
	Examiner	Art Unit	
	Zhiyu Lu	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 31-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 01/11/2007 have been fully considered but they are not persuasive.

Regarding rejections on claims 31-43 and 45-60, Applicant has argued that Callaway does not teach that any of the devices can act as a master to request other devices to join a group session and the group is created or modified based on the information received in responses. Applicant then has argued that Callaway does not inherently teach user information being request/sent by/to a master device. Applicant also has argued that Callaway's Bluetooth medium is used to gather information and establish group only but not what the group operates on.

However, the Examiner does not agree with the Applicant.

It is well known in Bluetooth technology that anyone of Bluetooth devices can act as a master or slave, which depends on initiation. Callaway does teach establishing a communications group (column 3 line 67 to column 4 line 8), which also fits what the claims, where is the master device that requests slave devices to join a group session. It is also well known in Bluetooth technology, a master device broadcasts a user information request at first contact with slave devices, and the slave devices response back with their identifications and/or passwords for synchronization, which explains the inherency of "at least one slave user equipment sending a response comprising user information... to the master user equipment; the master user equipment creating or modifying the group based on the information received in responses..." in Callaway. In that way, the master device knows who and how to contact and direct two or more slave devices to establish a talk group.

The claims only state using a short-range communications medium to request information, but never actually disclose that the communications network is operated on the short-range communications medium. And Callaway teaches a master device requesting information from slave devices using Bluetooth links (column 3 lines 39-45). Nevertheless, Callaway teaches the master device periodically synchronizes slave devices to maintain communications with the slave devices via Bluetooth links (Fig. 3, column 3 lines 52-55), and operating communications network on short-range communications medium but with high speed (column 3 lines 56-58).

Therefore, the rejections are proper and maintained. So it is to the rejection on claim 44.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 31-43 and 45-60 are rejected under 35 U.S.C. 102(b) as being anticipated by Callaway, Jr. et al. (US Patent#6275500).

Regarding claim 31, Callaway, Jr. et al. anticipate a method comprising:

sending a request from one user equipment acting as a master equipment to at least one slave user equipment over a communications medium, preferably a short-range communications medium, said request prompting the user of the slave user equipment to send user information for

Art Unit: 2618

group establishment in the communications network (Figs. 1-2, inherent in broadcasting synchronization request, so that the master device knows how to communicate with slave devices);

the at least one slave user equipment sending a response comprising user information for group establishment, over the communications medium to the master user equipment (Figs. 1-2, inherent Bluetooth connection setup, where slave devices response with their own identifications and/or passwords);

the master user equipment creating or modifying the group based on the information received in responses from the at least one slave user equipment (column 3 lines 45-52); and

the master user equipment sending the information on the created or modified group to the communications network for establishing a communications group in the communications network comprising user equipments (column 3 lines 52-55).

Regarding claim 51, Callaway, Jr. et al. anticipate user equipment comprising a group communications capability as explained in the response to claim 31 above.

Regarding claim 55, Callaway, Jr. et al. anticipate a communications system as explained in the response to claim 31 above.

Regarding claim 32, Callaway, Jr. et al. anticipate a method of establishing a communications group in a communications network further comprising:

Art Unit: 2618

sending a request from master user equipment to at least one slave user equipment over a communications medium, preferably a short-range communications medium, said request prompting the user of the slave user equipment to send user information for group establishment in the communications network (Figs. 1-2, inherent in broadcasting synchronization request, so that the master device knows how to communicate with slave devices);

the at least one slave user equipment sending over the communications medium a response comprising user information for group establishment to the master user equipment for communication in the communication network (Figs. 1-2, inherent Bluetooth connection setup, where slave devices response with their own identifications and/or passwords);

the master user equipment creating or modifying the group based on the information received in responses from the at least one slave user equipment (column 3 lines 45-52); and

the master user equipment sending the information on the created or modified group to all members of the group over the communications medium (column 3 lines 52-55).

Regarding claim 52, Callaway, Jr. et al. anticipate user equipment comprising a ground communications capability as explained in the response to claim 32 above.

Regarding claim 56, Callaway, Jr. et al. anticipate a communications system as explained in the response to claim 32 above.

Regarding claim 33, Callaway, Jr. et al. anticipate the limitation of claim 31.

Art Unit: 2618

Callaway, Jr. et al. anticipate at least one of the request or the response is one of the following: a multicast request, a point-to-point request, a short message request, an instant message request, an e-mail message request, a multimedia message request, a unified messaging message request, a WAP (Wireless Application Protocol) message request or an SIP (Session Initiation Protocol) message request (column 1 lines 43-60).

Regarding claim 34, Callaway, Jr. et al. anticipate the limitation of claim 31.

Callaway, Jr. et al. anticipate the master equipment, in creating or modifying the group, checking the response from slave user equipment and if the information of the slave user equipment is acceptable, adding the slave user equipment to the group (column 1 lines 43-60, column 3 lines 39-67).

Regarding claim 35, Callaway, Jr. et al. anticipate the limitation of claim 31.

Callaway, Jr. et al. anticipate the request comprises a file which guides the user of the slave user equipment to send only the information needed to establish the group to the master user equipment (inherent in Bluetooth connection setup).

Regarding claim 36, Callaway, Jr. et al. anticipate the limitation of claim 31.

Callaway, Jr. et al. anticipate the request comprises a file which guides the slave user equipment to send only the information needed to establish the group to the master user equipment (inherent in Bluetooth connection setup).

Art Unit: 2618

Regarding claim 37, Callaway, Jr. et al. anticipate the limitation of claim 31.

Callaway, Jr. et al. anticipate further comprising retrieving, by the master user equipment, a file for the request from at least one of the communications network, from its memory (inherent broadcasting synchronization request), or from the slave user equipment.

Regarding claim 38, Callaway, Jr. et al. anticipate the limitation of claim 31.

Callaway, Jr. et al. anticipate further comprising retrieving, by the master user equipment, a file for the request (inherent broadcasting synchronization request).

Regarding claims 39 and 53, Callaway, Jr. et al. anticipate the limitations of claims 31 and 51.

Callaway, Jr. et al. anticipate the communications medium is one of the following short-range communications media or networks: a circuit switched network, a packet switched network, a wireless local area network, an IrDA network, a Bluetooth medium or a network according to the IEEE 802.11 standards (column 1 lines 43-60).

Regarding claim 40, Callaway, Jr. et al. anticipate the limitation of claim 31.

Callaway, Jr. et al. anticipate the communications network is one of the following networks: a digital mobile communications network, a circuit switched network, or a packet switched network (inherent in Bluetooth point-to-point connection, column 3 lines 56-58).

Regarding claim 41, Callaway, Jr. et al. anticipate the limitation of claim 31.

Art Unit: 2618

Callaway, Jr. et al. anticipate before sending the request from the master user equipment to at least one slave user equipment, selecting by the master user equipment an identification to be used in the information interchange (inherent in Bluetooth connection setup, eg. master device's identification and/or password).

Regarding claim 42, Callaway, Jr. et al. anticipate the limitation of claim 31.

Callaway, Jr. et al. anticipate further comprising sending the request is by using multicasting (Figs. 1-2).

Regarding claim 43, Callaway, Jr. et al. anticipate the limitation of claim 31.

Callaway, Jr. et al. anticipate further comprising sending the request by using broadcasting (inherent).

Regarding claims 45 and 58, Callaway, Jr. et al. anticipate the limitations of claims 31 and 55.

Callaway, Jr. et al. anticipate further comprising sending by the master user equipment, the request automatically when new user equipment enters a predetermined area (inherent in Bluetooth device detection).

Regarding claim 46, Callaway, Jr. et al. anticipate the limitation of claim 45.

Callaway, Jr. et al. anticipate further comprising detecting entrance of a client or new user equipment into the predetermined area, sending the request over the communications medium at least in the proximity of the entrance point (inherent in Bluetooth device detection).

Regarding claim 47, Callaway, Jr. et al. anticipate the limitation of claim 45.

Callaway, Jr. et al. anticipate further comprising sending the request periodically over the communications medium at least in the proximity of the entrance point to the predetermined area (inherent in Bluetooth device detection).

Regarding claims 48 and 59, Callaway, Jr. et al. anticipate the limitations of claims 31 and 58.

Callaway, Jr. et al. anticipate further comprising deleting by the master user equipment, user equipment from a group when user equipment exits a predetermined area or after a predetermined period of time has elapsed (inherent in piconet update, column 3 lines 52-55).

Regarding claim 49, Callaway, Jr. et al. anticipate the limitation of claim 48.

Callaway, Jr. et al. anticipate further comprising detecting exit of a client or user equipment from the predetermined area, sending an identification request over the communications medium at least in the proximity of the exit point, deleting a group member from the group on the basis of a response to the identification request, if any (inherent in piconet connection).

Regarding claim 50, Callaway, Jr. et al. anticipate the limitation of claim 31.

Callaway, Jr. et al. anticipate further comprising sending, by the master user equipment or another device provided with the group information, advertisements to the group members over the communications network (inherent).

Art Unit: 2618

Regarding claim 54, Callaway, Jr. et al. anticipate the limitation of claim 51.

Callaway, Jr. et al. anticipate the communications network is one of the following networks: a digital mobile communications network, a circuit switched network, a packet switched network, a wireless local area network, an IrDA network, a Bluetooth network or a network according to the IEEE 802.11 standards (column 3 lines 56-58).

Regarding claim 57, Callaway, Jr. et al. anticipate the limitation of claim 55.

Callaway, Jr. et al. anticipate the short-range communications medium including one of the following short-range communications media or networks: a wireless local area network, an IrDA network, a Bluetooth medium or a network according to the IEEE 802.11 standards (column 3 lines 56-58).

Regarding claim 60, Callaway, Jr. et al. anticipate the limitation of claim 58.

Callaway, Jr. et al. anticipate a unit (transceiver) for sending advertisements to the group members over the communications network (inherent).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Callaway, Jr. et al. (US Patent#6275500) in view of Jamieson et al. (US2002/0034959)

Regarding claim 44, Callaway, Jr. et al. teach the limitation of claim 31.

But, Callaway, Jr. et al. do not expressly disclose the identification is an MSISDN number.

Jamieson et al. teach using MSISDN number as identification in talk group (paragraph 0022).

Therefore, it would have been obvious to one of ordinary skill in the art to incorporate using MSISDN number as identification in talk group taught by Jamieson et al. into the method of Callaway, Jr. et al., in order to configured talk group with mobile telephones.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2618

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zhiyu Lu whose telephone number is (571) 272-2837. The examiner can normally be reached on Weekdays: 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Zhiyu Lu
April 3, 2007


NAY MAUNG
SUPERVISORY PATENT EXAMINER